

CONNECTICUT SENTENCING COMMISSION

Sentencing Structure, Policy & Practices Committee Meeting

Tuesday, April 24, 2012

2:30-4:30 p.m.

*Bridgeport Superior Court, Courtroom 3C
1061 Main Street, Bridgeport, Connecticut*

Members In Attendance: *Hon. Robert Devlin (Chair), David Shepack, Susan Storey, Hon. Gary White*

Also Participating: *Elena Bystrova, Jason DePatie, Fiona Doherty, Mohammed Kashem, Meghan McCormack, Marbre Stahly-Butts, Tamar Lerer*

MINUTES

I. MEETING CONVENED

The meeting convened at approximately 2:30 p.m.

II. APPROVAL OF THE MINUTES FROM THE MEETING OF JANUARY 10, 2012

The minutes were approved by a **unanimous voice vote**.

III. INTRODUCTIONS

Judge Devlin introduced committee members and guests.

IV. Presentation by Professor Fiona Doherty, Marbre Stahly-Butts, Meghan McCormack, Tamar Lerer re: parole practices

Marbre Stahly-Butts and Meghan McCormack from Yale Law School presented their preliminary findings on the types of parole services offered in 26 states. Their preliminary research process focused on examining state statutes and administrative code to understand how states structure their parole programs. Professor Fiona Doherty asked committee members if they had any questions they would like the research team to address in their final report. These questions are listed below. The content/structure of the final report was also discussed and the committee decided the research team should focus on identifying successful models as opposed to creating a comprehensive survey of parole services.

Questions committee members asked included:

1. Did any states change their statutes to allow parole for murder? If states did change statute, what were the reasons for this? Was aging prison population a factor?
2. In states that have monitoring services, what happens if a person violates parole?
3. What states have successful models and what changes can Connecticut adopt to improve its system?

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4. Who makes the determination as to whether parole is violated?
5. In each state, how many people are in prison for technical parole violations?

Missouri was identified as having comprehensive parole services and committee members requested more information about their system. As for the timetable for this research project, Judge Devlin indicated that it would be helpful for the committee to receive a final report late next fall so recommendations can be made in advance of the 2013 legislative session

V. Presentation by Professor Mohammed Kashem re: Connecticut prison population

Professor Kashem presented his research proposal on examining the differences between jails in Bangladesh and Connecticut. He is interested in the admission rates and population turnover. This is important because in Bangladesh population turnover is relatively high due to a heavy influx of short-term offenders. Professor Kashem is also interested in Connecticut's conviction rate because in Bangladesh the conviction rate is extremely low (25-35%), possibly due to the 4-5 year delay between arrest and conviction. His goal is to explore Connecticut's best practices in relation to Bangladesh's criminal justice system.

Committee members asked how Bangladesh addresses issues of prison overcrowding to which Professor Kashem responded that it is first important to understand the country's demographics. Bangladesh's prison population is 70,000 for 168 million people and to address the issue of overcrowding, the country recently released 1,000 prisoners at 60-75% of sentence through an executive order. He also explained that there is no community monitoring or parole services in the country. Another challenge is that not all parts of the country have access to the central police force and those that do must cope with police corruption and poor investigative performance. Committee members recommended starting with reports available on the Connecticut Office of Policy and Management's Criminal Justice Division website and Connecticut Public Defender's website. Additionally, Susan Storey suggested reaching out to the New Haven Public Defender's office with any questions that may arise.

VI. OTHER BUSINESS

Mandatory minimums, judicial discretion, and prosecutorial discretion were identified as topics for future discussion. A statute allowing judges to override mandatory minimums for certain offenses after good cause shown may be a positive step to ensuring appropriate sentences. Committee members then discussed the political implications of mandatory minimums.

VII. MEETING ADJOURNED

The meeting adjourned at approximately 4:30 p.m.